

Message Text

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ACTION STR-08

INFO OCT-01 EUR-25 IO-14 ISO-00 INRE-00 SSO-00 NSCE-00

USIE-00 AGR-20 CEA-02 CIAE-00 COME-00 DODE-00 EB-11

FRB-02 H-03 INR-10 INT-08 L-03 LAB-06 NSAE-00 NSC-07

PA-04 RSC-01 AID-20 CIEP-02 SS-20 TAR-02 TRSE-00

PRS-01 SP-03 FEA-02 OMB-01 SWF-02 LS-01 AF-10 ARA-16

EA-11 NEA-10 OIC-04 DRC-01 /231 W

----- 025473

O R 231325Z APR 74

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEIDATE 5285

INFO USMISSION EC BRUSSELS

USMISSION OECD PARIS

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OECD PARIS FOR FEKETEKUTY

PASS STR

EO 11652: N/A

TAGS: ETRD, GATT, EC, US

SUBJ: 24:6 AND GATT COUNCIL

REF: STATE 080395

1. REFTTEL DISCUSSED WITH EC REP LUYTEN APRIL 22 AND
COPIES OF PROPOSED TEXTS LEFT WITH HIM. LUYTEN PROMISED
CONTACT HIJZEN IN PARIS AND GIVE US PRELIMINARY COMMISSION
THINKING ASAP, CAUTIONING LATTER WOULD BE SUBJECT TO
COORDINATION WITH EC MEMBER STATES IN GENEVA WEDNESDAY
AFTERNOON, APRIL 24, BEFORE IT COULD BE CONSIDERED A FIRM
EC POSITION.

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2. ON APRIL 23, LUYTEN ADVISED US EC INTENDS REFORMULATE TEXT OF EC STATEMENT TO GATT COUNCIL ALONG FOLLOWING LINES (WHICH WILL FOLLOW US STATEMENT): QUOTE
THE EUROPEAN COMMUNITIES DO NOT CONSIDER THAT AT PRESENT THE TIME PERIOD FORESEEN IN ARTICLE XXVIII:3 POSES A PROBLEM, CONSIDERING THAT THE RENEGOTIATIONS ARE STILL UNDER WAY AND THAT THE PERIOD OF SIX MONTHS FORESEEN BY THAT ARTICLE IS YET TO BEGIN. THE COMMUNITIES HAVE NOTED THAT THE UNITED STATES HAS A DIFFERENT INTERPRETATION. WISHING TO COOPERATE IN THE SEARCH FOR A SOLUTION SATISFACTORY TO ALL INTERESTED PARTIES, THE COMMUNITIES ACCEPT THAT THE COUNCIL DECIDE THAT THE PERIOD OF SIX MONTHS MENTIONED IN ARTICLE XXVIII:3 NOT BE CONSIDERED AS HAVING EXPIRED BEFORE 31 AUGUST 1974, IT BEING UNDERSTOOD THAT THIS DECISION IS WITHOUT PREJUDICE TO THE JURIDICAL POINT OF VIEW OF THE COMMUNITIES ON THIS MATTER. UNQUOTE

FOREGOING IS INFORMAL MISSION TRANSLATION OF TEXT RECEIVED IN FRENCH ONLY, AS FOLLOWS: QUOTE
LES COMMUNAUTES EUROPEENNES NE CONSIDERENT PAS QUE LE DELAI PREVU A L'ARTICLE XXVIII:3 POSE UN PROBLEME A L'HEURE ACTUELLE ETANT DONNE QUE LES RENEGOCIATIONS SONT ENCORE EN COURS ET QUE LA PERIODE DE SIX MOIS PREVUE PAR CET ARTICLE DOIT ENCORE DEBUTER. LES COMMUNAUTES ONT NOTE QUE LES ETATS-UNIS ONT UNE INTERPRETATION DIFFERENTE. DESIREUSE D'APPORTER LEUR COLLABORATION A LA RECHERCHE D'UNE SOLUTION SATISFAISANTE POUR TOUS LES INTERESSES, LES COMMUNAUTES ACCEPTENT QUE LE CONSEIL DECIDE QUE LE DELAI DE SIX MOIS MENTIONNE A L'ARTICLE XXVIII:3 NE SOIT PAS CONSIDERE COMME EXPIRANT AVANT LE 31 AOUT 1974, ETANT ENTENDU QUE CETTE DECISION NE PORTE PAS PREJUDICE AU POINT DE VUE JURIDIQUE DES COMMUNAUTES EN LA MATIERE. UNQUOTE

3. LUYTEN OFFERED FOLLOWING PRELIMINARY OBSERVATIONS ON PROPOSED US TEXT (SUBJECT AGAIN TO MEETING WITH MEMBER STATES APRIL 24): EC HOPES US WILL ALTER US STATEMENT AS FOLLOWS:

(A) FOURTH SENTENCE: DELETE "WHILE THE COMMUNITY IS FORMULATING ITS FINAL POSITION ON THE XXIV:6 NEGOTIATIONS" AND SUBSTITUTE "BEFORE ALL POSSIBILITIES OF NEGOLIMITED OFFICIAL USE

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TIONS HAVE BEEN EXHAUSTED". (THIS CHANGE REQUESTED BECAUSE EC HAD REPRESENTED DEC. 5 POSITION AS FINAL.)

(B) SIXTH SENTENCE: DELETE "NOT PREJUDICIAL TO ANY INTERESTED CP" AND SUBSTITUTE "IS VALID FOR ALL CP'S" (EC DOES NOT UNDERSTAND INTENT OF PHRASE "NOT PREJUDICIAL TO").

(C) SEVENTH (PENULTIMATE) SENTENCE: DELETE SPECIFIC REFERENCE TO "EC'S PROPOSAL EXPECTED SHORTLY" AND

SUBSTITUTE "A MUTUALLY ACCEPTABLE SOLUTION WILL BE FOUND SHORTLY".

MISSION SEES NO PROBLEMS WITH THESE CHANGES AND INTENDS MAKE THEM UNLESS INSTRUCTED TO CONTRARY.

4. EC DOES NOT RPT NOT FAVOR MEETING OF "SEVEN PLUS SEVEN" APRIL 25 BUT WILL NOT OPPOSE CONVENING IT IN LIGHT STRONG US MISSION URGING THAT IT IS ESSENTIAL TO RUN THROUGH SCENARIO WITH ALL KEY DELS TO MINIMIZE RISK THAT SOME COUNCIL REPS MAY APPEAL FOR MORE TIME TO OBTAIN INSTRUCTIONS. WE HAVE ACCORDINGLY ASKED GATT SEC TO CONVENCE SEVEN PLUS SEVEN LATE MORNING APRIL 25 WITH PRIOR MEETING OF US/EC REPS WITH DG.

5. FOREGOING DISCUSSED BETWEEN CULBERT AND FEKETEKUTY. WE UNDERSTAND LUYTEN COMMENTS REPORTED ABOVE COINCIDE CLOSELY WITH VIEWS GIVEN BY JIJZEN TO FEKETEKUTY.
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Message Attributes

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Draft Date: 23 APR 1974
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Disposition Approved on Date:
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Disposition Reason:
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